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RUEHBU/AMEMBASSY BUENOS AIRES 5215
RUEHCV/AMEMBASSY CARACAS 2444
RUEHPE/AMEMBASSY LIMA 2574
RUEHMN/AMEMBASSY MONTEVIDEO 4580
RUEHOT/AMEMBASSY OTTAWA 0464
RUEHQT/AMEMBASSY QUITO 5084
RUEHSG/AMEMBASSY SANTIAGO 9670
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C O N F I D E N T I A L LA PAZ 001229

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BL](#)

SUBJECT: GOB-BACKED MINERS ATTACK CONSTITUTIONAL TRIBUNAL

REF: 2006 LA PAZ 2976

Classified By: Ecopol Chief Andrew Erickson for reasons 1.4 (b) and (d)

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Summary

¶1. (C/NF) Well over a thousand government-paid miners marched on Sucre and attacked the Constitutional Tribunal with dynamite April 27 to pressure the court into respecting the GOB's October 31 supreme decree (reftel) which nationalized the Posokoni, Huanuni mine. The court building sustained minor damage and two police officers were injured. The miners were protesting opposition deputy Peter Maldonado's case before the court to overturn the October decree. Senior GOB and Movement Towards Socialism (MAS) party members appear to have directly supported the violence. Constitutional Court President Elizabeth Iniguez condemned the attacks and called on the GOB to ensure the court's safety. Deputy Maldonado in a May 2 meeting with Poloffs expressed his belief that the court will overturn the decree, but fears the GOB will not respect the decision and that GOB-backed miners would once again respond with violence. To date the GOB has been content to pressure the courts via rhetoric, the replacement of key judges and the occasional protest march. The events of April 27 may signal that the GOB has shifted to encouraging more aggressive protests as a means to pressure the courts. End Summary.

¶2. (U) Well over a thousand government-paid miners marched on Sucre and attacked the Constitutional Tribunal with dynamite April 27 to pressure the court into respecting the GOB's October 31 supreme decree (reftel) which nationalized the Posokoni, Huanuni mine. The GOB is alleged to have transported the miners to Sucre. The miners were protesting opposition deputy Peter Maldonado's case before the court to overturn the October decree. Miners threw sticks of dynamite at an area of the building where the justices typically meet. One of the court's doors was damaged and two police officers were injured.

13. (SBU) Senior GOB and MAS party members appear to have directly supported the violence. Jose Lambertin, President Morales' delegate to Chuquisaca, was caught on film marching with the miners. Chuquisaca Prefect David Sanchez, a member of Morales' MAS party is alleged to have provided the miners lodging. GOB Mining Vice Minister Pedro Mariobo congratulated the attackers following the protest.

14. (U) Condemning the attacks and pronouncing the damage to the court a "mortal wound," Constitutional Court President Elizabeth Iniguez asked President Morales to ensure the court's safety. Iniguez emphasized that the GOB must respect the courts and protect them from threats and attacks.

15. (C/NF) The Ambassador and Poloffs met with opposition deputy Peter Maldonado on May 2. Maldonado stated that he filed his case because the supreme decree violates the law and has destroyed the livelihood of the cooperative miners who legally worked in Posokoni. He explained that the court should reach a decision by mid June and that he was confident that it would overturn Morales' decree. He also expressed concern that the GOB would not respect the court's decision and that GOB-backed miners would respond to the decision with more violence. He noted that he has taken measures to protect his family, following threats from miners, and reported that he has moved his residence to an undisclosed location. The Ambassador told Maldonado he was following his security situation with interest.

Comment

16. (C) To date the GOB has been content to pressure the courts via rhetoric, the replacement of key judges and the occasional protest march. In December, President Morales took advantage of Congress' holiday recess and appointed four interim supreme court justices. In early January he criticized the courts as corrupt, called existing supreme court justices relics of past governments, and urged all judges to support his GOB's policies of "change." In March, Morales nominated Elizabeth Iniguez to the Inter-American Commission on Human Rights (IACHR), a not-so-subtle attempt to remove a key "relic" from the Constitutional Tribunal. The events of April 27 may signal that the GOB has shifted strategies to encouraging more aggressive protests as a means to pressure the courts. It is particularly disturbing that the GOB has actively sought to personalize what is essentially a legal case. GOB statements focusing on Peter Maldonado are an intimidation tactic that could lead to violence against this deputy. We will continue to follow his situation closely. End Comment.
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